

AGILENT TECHNOLOGIES, INC.  
Legal Department, DL429  
Intellectual Property Administration  
P. O. Box 7599  
Loveland, Colorado 80537-0599

ATTORNEY DOCKET NO. 10003969-1

RCE  
JW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Glen F. Wetzel

Serial No.: 09/805,407

Examiner: Payne, David C.

Filing Date: March 12, 2001

Group Art Unit: 2633

Title: Improved Optical Switch And Networking Method

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria VA 22313-1450

**REQUEST FOR CONTINUED EXAMINATION (RCE) 37 CFR 1.114**

Subsection (b) of 35 U.S.C. 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Sir:

This is a Request for Continued Examination (RCE) under CFR 1.114 of the above-identified application.

**NOTE:** 37 CFR 1.114 is effective on May 20, 2000. If the above application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under CFR 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 off. Gaz. Pat. Office 47 (Apr. 11, 2000), which Established RCE practice.

**Submission under 37 CFR 1.114**

- ☐ Previously submitted:
- ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on  
(Any unentered amendment(s) referred to above will be entered).
  - ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
  - ☐ Other:

- ☒ Enclosed:
- ☒ Amendment/Reply
  - ☐ Affidavit(s)/Declarations(s)
  - ☐ Information Disclosure Statement (IDS)
  - ☒ Other: Return-receipt postcard.

**Miscellaneous**

- ☐ Suspension of action is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months.  
The fee for this Suspension is (37 CFR 1.17(i)) **\$130.00**.
- ☐ Other:

05/27/2005 CCHAU1 00000024 501078 09805407  
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CONTINUED EXAMINATION TRANSMITTAL  
(RCE) (37 CFR 1.114) (continued)

ATTORNEY DOCKET NO. 10003969-1

RCE filing fee \$790.00

- ☐ A Petition for Extension of Time
- |                          |              |           |
|--------------------------|--------------|-----------|
| <input type="checkbox"/> | One month    | \$120.00  |
| <input type="checkbox"/> | Two months   | \$450.00  |
| <input type="checkbox"/> | Three months | \$1020.00 |
| <input type="checkbox"/> | Four months  | \$1590.00 |

Please charge to Deposit Account **50-1078** the sum of \$790.00 . At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account **50-1078** pursuant to 37 CFR 1.25.

A duplicate copy of this transmittal letter is enclosed.

- ☒ I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

Date of Deposit: May 23, 2005

OR

- ☐ I hereby certify that this paper is being facsimile transmitted to the Commissioner for Patents on the date shown below.

Date of Facsimile:

Typed Name: D. James Chung

Signature: 

Respectfully submitted,

Glen F. Wetzel

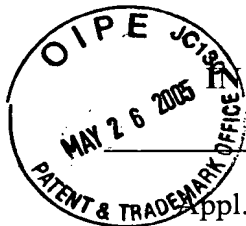
By 

D. J. Chung  
Attorney/Agent for Applicant(s)

Reg. No. 41,678

Date: May 23, 2005

Telephone No. 921-621-2131



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. no.: 09/805,407

Confirmation No.: 1685

Applicants: Glen Franklin Wetzel

Filing Date: 03/12/2001

Art Unit: 2633

Examiner: Payne, David C.

Docket no.: 10003969-1

**REQUEST FOR CONTINUED EXAMINATION (RCE)  
UNDER 37 CFR 1.114  
INCLUDING  
AMENDMENTS AND  
RESPONSE TO A FINAL OFFICE ACTION**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir/Madam:

In response to the Final Office Action mailed on February 23, 2005 finally rejecting Claims 29-38, the applicant submits this Request for Continued Examination (RCE) including Amendments and Remarks.

**Claims** are listed beginning on page 2.

**Remarks** begin on page 5.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Date: 05/23/2005

D. James Chung